

Bedford Town Housing Agency
Blue Mountain Housing Development Corporation
Annual Report
2013

Committee Members	Assignments
Rhoda Gushue	Bedford Lakes Rentals lead
Julie Stern	Wildwood Road
Daniel Herman - Resigned	Not-for-profit contact person
Michael Tosto	Doyle House
Amy Pectol	Tax foreclosures
Sheila McSpedon	Secretary, Site Selection
Bruce Yablon	Treasurer, Doyle construction
Thomas McGrath	Chairman, Budget
Richard McCauley	Consultant (Non-voting)
Randy Lawrence	ex officio

The Committee met formally nine times during 2013. The December and January 2014 meetings were combined. The Board does not meet in July or August.

Invited guests to attend meetings were as follows:

- Town Supervisor Lee Roberts; Planning Dept. Head Jeff Ostermann; attorney Joel Sachs of Keene & Beane; Tiffany Zezula of the Pace Land Use Law Center in White Plains, and Rose Noonan of the Housing Action Council who works with the Law Center.

Tiffany Zezula noted the Fair and Affordable Housing Program at the Land Use Law Center over the last several years has trained numerous municipal officials

on the subject of fair and affordable housing, and the collaborative decision making related thereto, and also has provided them with technical assistance. The law center is funded by Westchester County and the Ford Foundation in these efforts which will continue for the next year.

The Land Use Law Center also convenes meetings of chief elected officials from the 31 “settlement communities” under the Westchester County lawsuit settlement providing continuing education on the subject matter of fair and affordable housing and a place for elected officials to have a conversation and exchange ideas on promoting fair and affordable housing.

- Mark Theilking, Chairman of the Energy Improvement Corp. and director of Energy Resources for the Town of Bedford attended the February meeting to discuss the energy audit done at Doyle House and EIC financing to make the improvements. By way of background in 2009, NYS gave municipalities the right to provide financing for energy efficiency and renewable energy improvements to the residents (property assessed clean energy financing) similar to how a town finances a water hook up or fire district improvement to enhance the living conditions or safety.

In 2010 the 14 municipalities of Northern Westchester wrote to U. S. Dept. of Energy for a grant to create a corporation that would do this. The municipalities would work together in the aggregate rather than independently. The Energy Improvement Corporation (EIC) is owned by its member municipalities and can provide financings on behalf of municipalities in the aggregate in a very low cost way for services to property owners related to financing.

BEDFORD TOWN HOUSING AGENCY

Bedford Lakes Rentals – 28 Low and Moderate Income Senior Citizen Apartments.

Of the 62 total units, 28 are under the oversight of Bedford Town Housing Agency. During the past few years the low and moderate income units’ rental price has caught up to the market rate prices. Rentals are affordable to seniors earning no more than 80% - 90% of Westchester County median income adjusted by family size. Several units were available and leased during 2013.

Lakeside at Bedford – 14 Middle Income Town homes.

As part of a much larger development, 14 town homes were built in 1997-98 under the Town’s Middle Income Housing Zoning. When available, homes are affordable to families earning no greater than the median income of a Bedford Town employee adjusted by family size. One sale took place during 2013.

North Bedford Road - 20 Moderate Income Rental Apartments.

This 19 unit plus 1 single family home was funded by Westchester County Land Acquisition Funds. The property is affordable to families earning no more than 80% of the Westchester median income adjusted by family size.

Anderson Road – Single family home with an accessory apartment.

Developed in a partnership with AHOME this property consists of a 3 bedroom home along with a 1 bedroom accessory apartment. If available, this home is affordable to families earning no more than 80% of Westchester County median income adjusted by family size. The rental is affordable to residents earning 60% of median. A new tenant moved into the apartment during 2013.

Harris Road – 1 two bedroom and 1 one bedroom apartment.

The Westchester Land Trust acquired a property on Harris Road to relocate their offices. The property contained a garage along with two apartments. The Land Trust agreed to rent the units to families earning no more than 80% of Westchester County median income adjusted by family size. Both units were rented originally in 2007. In 2012 no turnover of apartments took place and rents remained at 2012 rent levels.

Woodcrest Senior Condos – 7 one-bedroom condominiums for Senior Citizens.

Woodcrest is located in Mount Kisco. However, the access to the site runs through the Town of Bedford. At the time of approvals, an agreement was made between the Town of Bedford and the developer to reserve 7 units for Bedford residents. The units are affordable to families earning 80% of the Westchester median income adjusted by family size. No Bedford re-sales were reported this year.

BLUE MOUNTAIN HOUSING DEVELOPMENT CORPORATION

Doyle House – 4 units of low-income housing.

Doyle House is the only property owned by Blue Mountain Housing. Finances on the property have been excellent. Positive cash flow during 2013 was \$24,532 for the year. NYS mandated reserves being held in escrow exceed \$65,000. These reserves include operating, replacement and capital reserves. The property is managed by AHOME: services include collecting rents and providing maintenance, AHOME also provides case management for the tenants. Case management includes various social services along with special considerations including gifts of turkeys at Thanksgiving. Apartments are affordable to families earning no more than 50% of Westchester County median income adjusted by family size. At the end of 2010 the mortgage secured by the property was paid off in full. Planning for window replacement continued in during 2013.

David Lapsley Road – Charles McDuffie House - Single family 3 bedroom home.

The Town of Bedford sold two parcels of excess land to an affiliate company sponsored by Blue Mountain Housing known as Bedford Housing Development Fund Corporation. One parcel included a single family home in disrepair. With the assistance of The Town of Bedford and Habitat for Humanity, the home was completely renovated. This home was originally slated to be sold to a Bedford Fireman however; no Fireman ultimately chose to purchase the home. The home was sold to a Bedford Town employee. This home is affordable to a family earning no more than the Town of Bedford employee median income adjusted by family size.

Habitat House – Single family 3 bedroom home.

The second parcel of land referenced above was a vacant lot also sold by The Town of Bedford to Bedford Housing Development Fund Corporation. Bedford HDHC in turn sold the property to Habitat for Humanity for \$10. Habitat for Humanity is a private not for profit development company building homes primarily with donated labor and often materials. As part of the sale, Habitat agreed to allow Blue Mountain Housing to retain the rights to locate a purchaser for the home from our priority lists. The home was completed during 2008 and Blue Mountain located a purchaser from the Town of Bedford employed by the Bedford Central School System. This home is affordable to a family earning no more than the Town of Bedford employee median income adjusted by family size.

Wildwood Road – Blue Mountain Housing provided a \$50,000 deferred loan to A-Home to re-develop this 7 unit historic building in Katonah. A-Home has also received \$475,000 in funding from Westchester County for rehabilitation. The units will be affordable to families earning 60% to 80% of Westchester median. The units will remain affordable for 40 years.

PROPERTIES AND ISSUES TRACKED DURING 2011

Bailey Hall Property

Blue Mountain continues to monitor the Bailey Hall property subdivision. Under the Town's affordability laws, at least 10% of the homes must be affordable. The Town Planning Board has stipulated that 2 affordable housing units must be built as part of the development – if it comes to fruition. The homes will be affordable to families earning 80% of Westchester County median adjusted for family size.

School Street Bedford Hills

Blue Mountain has tracked these vacant lots on the corner of Bedford Road and School Street as it has moved through wetlands approval. The potential is for a two family affordable house. The owner of the lot's asking price for the property is too high to create affordable housing.

Route 22 Bedford Village

Blue Mountain seriously considered the development of this property in Bedford Village for a possible fair and affordable housing development. The intention was to partner with Westchester Housing Action Council to acquire and develop the property as 15 to 20 affordable homeownership housing units. The Board approved spending approximately \$4,500 for preliminary site assessment for septic tests and preliminary engineering which was completed during 2013. The site should permit up to approximately 20 units of housing based on the completed tests for a septic system. To date access to the site remains a problem. The frontage of the property is very steep and adjacent parcels have proven too costly to acquire.

Merv Blank Property – McLain Street and Route 172 – Blue Mountain remained interested in the potential of affordable housing on this site since the owner continued to maintain that it was his desire to see the property developed this way. Blue Mountain funded an appraisal of the property in order to secure funding from Westchester County Department of Planning for acquisition funds. Blue Mountain also approved an \$87,000 loan for Allied Community Enterprises for the development of the property during 2013. However, during negotiations for the property the owner was unwilling to agree to the terms and price offered by Blue Mountain/ACE for the purchase of the property for 6 units of affordable housing.

Bedford Playhouse

A joint session meeting of the Town Board and Planning Board took place to discuss the potential of a mixed use building on the vacant lot adjacent to the Bedford Playhouse. The sherset was requested by the then owner of the property in order to expedite a approval and have early input for what should be developed on the property. The owner subsequently sold the property.

Foreclosures

Blue Mountain has been tracking a number of properties that are in foreclosure within the Town of Bedford. It has proved to be very difficult to make contact with the correct people/departments at the various banks involved. Blue Mountain may be able to create homeownership opportunities if this strategy becomes successful.

Westchester County Fair and Affordable Housing Settlement

In 2009 Westchester County signed a housing settlement with the US Department of Housing and Urban Development which requires the County to develop 750 units of fair and affordable housing throughout 31 communities – including Bedford. Blue Mountain has carefully monitored the housing settlement and its potential effects on the Town of Bedford. Blue Mountain has worked with the Town Planning Department and the Town Planning Board to create Fair and Affordable Housing Zoning in Bedford. The Zoning is based on Westchester County's Model Zoning Ordinance for Fair and Affordable Housing.

YEAR 2013 HIGHLIGHTS

During our January meeting, Supervisor Roberts raised the idea of a public education meeting for Bedford residents to hear more about affordable housing. A similar meeting held a year ago on this subject in the Town of Bedford demonstrated the residents' interest on the subject, and this would provide an opportunity to allay any fears that exist and become aware of any opportunities.

Visitor at the meeting, Tiffany Zezula, of the Land Use Law Center at Pace University, noted we could have a meeting for a couple of hours with a panel to speak about the settlement, its implications, a question and answer period, presentations on what Bedford has currently done in the area of affordable of housing, etc.

Visitor, Rose Noonan of the Westchester Housing Action Council, noted that many people want to know what has happened to date on the settlement. She noted there is a powerpoint presentation on a few fair and affordable housing developments, in Somers and Rye, under the settlement denoting who lives there, what the racial breakdown is, how many school children are living there, where the residents come from, etc. As it turns out many affordable housing residents are coming from Westchester County.

The Blue Mountain Board agreed that another informational meeting for fair and affordable housing in the Town was an excellent idea and plans were put in place to schedule the presentation for March, 2013. An Informational flyer about the event was shared through the Towns web site and email list along with advertisements in the local newspapers. Unfortunately, the weather did not cooperate in March and the meeting was postponed until May 1, 2013.

The evening was very informative with more than 100 people attending the event. Tom McGrath shared a powerpoint presentation of the affordable housing created in Bedford along with updates of the new zoning and Blue Mountain's lending programs – attached. Below is a copy of the flyer for the event.

Furthering Fair & Affordable Housing in Northern Westchester

An Evening of Presentations & Dialogue

Taking a Closer Look at the Settlement & Beyond

What's the story behind the Settlement?

How have we and others responded?

Are we exclusionary?

Can we overcome environmental and other impediments?

Why develop affordable homes in Northern Westchester?

What are the benefits?

Who will live there?

What will these homes look like?



SPONSORED BY THE BLUE MOUNTAIN HOUSING DEVELOPMENT CORPORATION IN
PARTNERSHIP WITH THE TOWNS OF BEDFORD, NEW CASTLE, NORTH CASTLE, LEWISBORO,
NORTH SALEM, POUND RIDGE AND SOMERS



FACILITATED BY PACE LAND USE LAW CENTER AND HOUSING ACTION COUNCIL

Wednesday, March 6, 2013 at 7:00 p.m.
Bedford Town Court House
321 Bedford Road
Bedford Hills, NY 10507

Light refreshments will be served.



- ***Fair and Affordable Housing Zoning***

Blue Mountain Housing worked with the Town Planner to assist with the development of a new affordable housing zoning ordinance. The zoning is modeled after the approved Housing Settlement model zoning and is known as the Affordable Affirmatively Furthering Fair Housing Units Ordinance. The purpose of which is to ensure that new residential development in the Town includes a reasonable supply of fair and affordable housing to meet the needs of the community's citizens.

The AAFFHU Ordinance actually requires more affordable housing than the model ordinance. The model ordinance requires developments of 5 or more units to include 10% of the units as affordable. Bedford's zoning includes:

- 10% of all subdivision lots must include fair and affordable housing. Developments of less than 5 units must pay an fee-in-lieu to the Bedford Housing trust Fund.
- Multifamily developments must include 20% of the units as fair and affordable.
- AAFFH housing units within market rate developments shall be integrated with the rest of the development and shall be compatible in design appearance, construction and quality of material with other units.

Charles McDuffie Fund Lending and Grant Programs

Accessory Apartment Financing Assistance

- Recipients: Homeowners and investors interested in creating an affordable accessory apartment on their property located in the Town of Bedford.
- Funds: Eligible applicants may receive financing toward the construction/rehabilitation of an accessory apartment. These costs may include construction costs and architectural costs. The loan amounts may be from \$20,000 to \$35,000.
- Restrictions: The apartment must be rented to tenants with incomes at or below **60% of the Westchester County median income** adjusted by family size. Eligible tenants must meet Town of Bedford's category of priority as to employment and residency. The apartment must remain affordable for at least 20 years. In the event the property is sold prior to the restriction term the funds must be repaid.

Down Payment Assistance Program

- Recipients: Families with incomes at or below the **median income of a Bedford Town Employee or 80% median income of Westchester County** adjusted by family size depending on the property's restrictions (which ever is lower). The family must be a first time homebuyer.
- Funds: Eligible applicants may receive up to \$12,500 towards the purchase of an affordable home in the Town of Bedford. The funds may be used to cover the cost of the purchase of a home including down payment and reasonable closing costs.
- Restrictions: The home must remain affordable for at least 20 years. If the buyer sells the home earlier, the funds are subject to repayment. The funds may remain in place if the owner sells to another eligible purchaser.

Pre-Development Loan Program

- Recipients: Not for profit developers interested in developing affordable housing in the Town of Bedford (including Blue Mountain Housing Development Corp.).
- Funds: Eligible applicants may receive up to \$25,000 loans for pre-development studies. Funds may be used for engineering studies, architectural drawings, soil borings or other uses approved by Bedford Town Housing Agency. Funds are to be repaid no later than the start of construction. Applicant must show reasonable feasibility of potential development.
- Restrictions: Proposed development will meet Bedford Town Housing Agency's affordability requirements.

Acquisition Program

- Recipients: Experienced for-profit and non-profit developers interested in developing affordable housing in the Town of Bedford are eligible.
- Funds: Applicants may receive up to \$50,000 to assist in the purchase of land or a building to be developed as affordable housing. Funds may be used toward the purchase price or reasonable closing costs. Applicant must document financial need for the funds and that with the funds the proposed development is feasible.

Restrictions: Rentals – Units must be affordable to tenants with incomes at or below **60% of the Westchester County median income** adjusted by family size. The apartments must remain affordable for at least 40 years.

Homeownership – Units must be sold to families with incomes at or below the median income of a Bedford Town Employee or 80% median income of Westchester County adjusted by family size depending on the property's restrictions. The family must be a first time homebuyer. In the event the property is sold prior to the restriction term the funds must be repaid.

New Construction / Rehabilitation Grants

Recipients: Experienced for-profit and non-profit developers interested in developing affordable housing in the Town of Bedford.

Funds: Applicants may receive up to \$50,000 to assist in the financing of new construction or rehabilitation of affordable housing. Funds may be used for actual construction costs together with other subsidies and private financing. Applicant must document financial need for the funds and that with the funds the proposed development is feasible.

Restrictions: Rentals – Units must be affordable to tenants with incomes at or below **60% of the Westchester County median income** adjusted by family size. The apartments must remain affordable for at least 40 years.

Homeownership – Units must be sold to families with incomes at or below the median income of a Bedford Town Employee or **80% median income of Westchester County** adjusted by family size depending on the property's restrictions. The family must be a first time homebuyer. In the event the property is sold prior to the restriction term the funds must be repaid.

Blue Mountain Acquisition Fund

Recipient: Blue Mountain Housing Development Corp.

Funds: Blue Mountain may consider acquiring houses or condos, moderately renovating them and selling them as affordable homes. Blue Mountain would leverage their own dollars with other subsidies and private debt in order to afford the acquisition.

Restrictions: Homes would be sold to families with incomes at or below **80% median income of Westchester County** adjusted by family size depending on the property's restrictions. The family must be a first time homebuyer and the homes must be affordable in perpetuity.

Handicap Accessibility Assistance Program

- Recipient: Residents in the Town of Bedford requiring assistance in creating handicap accessibility to their primary residence.
- Funds: Applicants may receive up to \$10,000 to assist in the financing of construction of accessible feature to a home. Funds may be used for actual construction costs together with other subsidies and private financing. Applicant must document financial need for the funds.
- Restrictions: Funds are available to residents earning **50% of the median income of Westchester County** adjusted by family size.

SUB-COMMITTEES

Blue Mountain sub-committees to work on certain issues and report to the Board of Directors. The sub-committees are as follows:

1. Site Selection Committee – is charged with looking for opportunities to create affordable housing through-out the Town. The committee will search for land for sale, inexpensive homes for sale and development opportunities.
2. Loan Committee – is charged with reviewing applications for loans from Blue Mountain or Bedford Housing Trust Fund. The committee will make recommendations for approval with terms and conditions to the Board of Directors. Final approval will be from the Board.
3. Budget Committee – is charged with establishing a budget for Blue Mountain and Bedford Town Housing Agency.